

# KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

## BUREAU OF WATER



### NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

### STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### GENERAL PERMIT PACKET

NO.	DATE	REVISION

Kansas Department of Health and Environment

Bureau of Water, Industrial Programs Section

1000 SW Jackson, Suite 420

Topeka, KS 66612 - 1367

(785) 296-5549

## **EXECUTIVE SUMMARY**

### **Purpose of this General NPDES Permit**

The purpose of this general permit is to implement the Federal Water Pollution Control statutes and regulations; to permit discharges of stormwater runoff from construction sites subject to National Pollutant Discharge Elimination System (NPDES) permit requirements; and to protect the waters of the State from sediment migration and contamination.

### **What is covered.**

This permit covers the discharge of stormwater runoff from large construction activities which may disturb a cumulative total of 5 or more acres during the life of the project or that are part of a larger common plan of development or sale which may disturb a cumulative total of five or more acres.

This permit also covers the discharge of stormwater runoff from small construction activities which may disturb a cumulative total area equal to one (1.0) acre; or greater than one (1.0) acre and less than five (5.0) acres or that are part of a larger common plan of development or sale which may disturb a cumulative total area equal to one (1.0) acre; or greater than one (1.0) acre and less than five (5.0) acres. Owners or operators of small construction activities which discharge stormwater runoff on or after March 10, 2003 from construction activities which may disturb an area equal to one (1.0) acre; or greater than one (1.0) acre and less than five (5.0) acres must receive authorization to discharge stormwater runoff from construction activities under this general NPDES permit.

Owners or operators of construction activities which disturb less than one acre (< 1.0 acres), and which are not part of larger common plan of development or sale, must have authorization to discharge stormwater runoff from construction activities under this general NPDES permit when KDHE believes the water quality impact warrants consideration.

Subdivision developments are considered to be a larger common plan of development or sale regardless of the size, ownership, or number of lots or parcels within the development. Therefore, each subdivision requires a permit to discharge stormwater if large or small construction activities may occur during the life of the development. Each new owner of a lot or parcel that is part of a larger common plan of development has to complete a KDHE Individual Lot Certification (ILC). The ILC is an agreement between the new owner of the lot or parcel and the permittee to implement the SWP2 plan and the conditions of the general NPDES permit cooperatively.

After March 9, 2003, all MS4 operators engaged in large or small construction activities must have authorization to discharge stormwater runoff from construction activities under this general NPDES permit.

Construction may commence when the owner or operator receives an authorized NOI for the construction activity from KDHE.

### **How to get a permit.**

Application for the permit is made by completing a "Notice of Intent" (NOI) form which is available upon written request from the Kansas Department of Health and Environment (KDHE) or which may be downloaded from the [KDHE Stormwater Website](#). The NOI must be sent to KDHE at least 60 days before starting construction. Upon authorization of the NOI, a Kansas permit number and a Federal permit number will be assigned to the construction project. A signed and dated copy of the authorized NOI will be provided to the owner or operator.

**What the permit costs.**

The permit fee is established by regulation (K.A.R. 28-16-56 et seq. as amended). At the time this information packet was developed, the permit fee for this general permit for stormwater runoff from construction activities was \$60 per year.

**What the permit requires.**

The primary requirement of the general permit is for the permittee to develop and implement a Stormwater Pollution Prevention (SWP2) plan or what is sometimes called an erosion and sediment control plan. The SWP2 plan must contain certain items which are specified in the general permit. The SWP2 plan must specify the "Best Management Practices" to be employed or what steps will be taken to control erosion and sedimentation.

When the soil disturbing activity is completed and final stabilization of the site is achieved, the permittee must notify KDHE to terminate the authorization to discharge.

The permittee is required to comply with all of the applicable requirements listed in the general permit. This summary is provided for information only and does not describe all of the applicable requirements in the general permit.

**Availability of Forms and Information.**

Applicants can download copies of all notifications, forms, references, or the general NPDES permit from the [KDHE Stormwater Website](http://www.kdhe.state.ks.us/stormwater/index.html) at <http://www.kdhe.state.ks.us/stormwater/index.html>.

Copies of all notifications, forms, references or the general NPDES permit requirements may be obtained by writing to:

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